

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:16-cv-00020-MR-DLH**

D&B UTILITY CONSTRUCTION, INC., )  
  )  
Plaintiff,                         )  
  )  
vs.                                 )  
  )  
  )  
RST COMMUNICATIONS, LLC, and    )  
RST GLOBAL COMMUNICATIONS,      )  
LLC,                                 )  
  )  
Defendants.                         )  
  )

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**O R D E R**

**THIS MATTER** is before the Court on the letter of Plaintiff's counsel [Doc. 7], which the Court construes as a motion to extend the deadline for the Defendants to file an answer or otherwise respond to the Complaint.

On May 3, 2016, the Court entered an Order directing the Plaintiff to file an appropriate motion or otherwise take further action with respect to the Defendants RST Communications, LLC and RST Global Communications, LLC. [Doc. 7]. In his letter, the Plaintiff's counsel advises that he has been engaged in good-faith settlement negotiations with counsel for the Defendants and that due to these negotiations, the "Plaintiff assented to Defendants' request to hold the answer deadline in abeyance." [Doc. 7].

Counsel further advises in his letter that, in light of the Court's May 3, 2016 Order, the Plaintiff has informed Defendants' counsel that it assents to a revised answer deadline of May 20, 2016. [Id.].

The Court construes the Plaintiff's letter as a request to extend the deadline for the Defendants to file an answer or otherwise respond to the Complaint, and that motion shall be granted. The parties are advised, however, that it is not acceptable practice in this Court for parties to make such informal agreements regarding the extension of deadlines. Further, it is not acceptable practice to communicate such agreements to the Court by letter. Instead, the parties should communicate any such agreements through the filing of a joint motion to extend the answer deadline.

The Court will grant the extension sought, but no further extension is likely to be granted.

**IT IS, THEREFORE, ORDERED** that counsel's letter [Doc. 7], which the Court construes as a motion, is **GRANTED**, and the deadline for the Defendants to file an answer or otherwise respond to the Complaint is hereby **EXTENDED** to May 20, 2016.

Signed: May 18, 2016

**IT IS SO ORDERED.**



Martin Reidinger  
United States District Judge



